

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C) .No. 7148 of 2007(A)

PETITIONER:

SUBASH CHANDRAN, AGED 38 YEARS,
S/O. CHANDRAN, VALLOMPARAMBATH PANIKKASSERY,
ERIYAD, MADAVANA P.O., KODUNGALLOOR.

BY ADV. SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENTS:

THE REGISTERING AUTHORITY,
JOINT REGIONAL TRANSPORT OFFICER, KODUNGALLOOR.

BY G.P. SHRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

W.P(C).No. 7148/07.

APPENDIX

PETITIONER'S EXHIBITS:

- P1. COPY OF THE SALE CERTIFICATE.
- P2. COPY OF THE TAX INVOICE.

Sdk+

///True copy///

P.A. to Judge.

S.SIRI JAGAN, J.

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W.P.(C).No.7148 of 2007

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Dated this the 25th day of July, 2007

J U D G M E N T

The petitioner approached this court with the grievance that the petitioner's application for registration of his vehicle has not been favourably considered on the ground that the petitioner has not paid entry tax in respect of the vehicle. At the time of admission of the writ petition, this court passed the following interim order.

"Admit. Issue notice. The petitioner has purchased a new vehicle and he wants it to be registered. But, the respondent registering authority is demanding payment of entry tax, it is submitted. In view of the judgment of this court in O.P.No.434/96 and connected cases, entry tax cannot be collected. So, if the respondent has demanded entry tax, it may amount to contempt of courts, in the light of the judgment of the Apex Court in B.Mishra Vs. B.Dixit (AIR 1972 SC 2466). The petitioner's vehicle shall be registered without insisting for payment of entry tax, provided the petitioner has satisfied the other requirements of law."

Now it is submitted that the vehicle has already been registered pursuant to the interim order.

2. The learned Government Pleader submits that the writ petition itself is unnecessary, since on the date when the petitioner approached the respondent itself, the vehicle was registered and there was no demand for entry tax. I need not go into that question in view of the interim order and the subsequent registration of the vehicle. Accordingly, the writ petition is disposed of in terms of the interim order.

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Sd/-
S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.